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MINISTRY OF FOOD & AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 23rd March 1964

G.S.R. 511.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement.**—(1) This Order may be called the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1964.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once

2. **Definitions.**—In this Order, unless the context otherwise requires,—

(a) "export" means to take or cause to be taken, by any means whatsoever, out of any place within a Zone to a place outside it;

(b) "external border area" means the area within a ten-mile belt all along the border lying within the State of Punjab, Rajasthan or Gujarat adjoining the territory of West Pakistan;

(c) "import" means to take or cause to be taken, by any means whatsoever, into any place within a Zone from a place outside it;

(d) "State Government" means the Government of any State included in a Zone and includes the administrator of a Union territory;

(e) "wheat" includes any mixture of wheat and other foodgrains in which the proportion of wheat exceeds 2 per cent;

(f) "wheat product" means wholemeal atta, resultant atta, malda, sooji or rawa;

(g) "Zone" means any of the territorial Units of India consisting of a State or States or Union territories as specified in the Schedule annexed to this Order;

(h) "zonal border area" means the area within a five-mile belt all along the border of a Zone adjoining the territory comprising another Zone or, as the case may be, the area lying outside any of the Zones.

3. Prohibition of export and import of wheat and wheat products.—(1) No person shall export or attempt to export or abet the export of wheat or any wheat product except under and in accordance with a permit issued by the Central Government or by the Government of the State from which such wheat or wheat product is to be exported or by an officer authorized in that behalf by the Central Government or, as the case may be, by the Government of that State.

(2) No person shall import or attempt to import or abet the import of wheat or any wheat product except under and in accordance with a permit issued by the Central Government or by the Government of the State into which such wheat or wheat product is to be imported or by an officer authorized in that behalf by the Central Government or, as the case may be, by the Government of that State:

Provided that nothing contained in sub-clause (1) or sub-clause (2) shall apply to the export or import of wheat or any wheat product—

- (i) not exceeding 5 kilograms in weight in the aggregate by a *bona fide* traveller as part of his luggage; or
- (ii) on Government account; or
- (iii) under and in accordance with Military Credit Notes; or
- (iv) received by way of gift under the Indo-US Agreement on Relief Supplies, 1951, and despatched by the Regional Director (Food), Bombay, Madras or Calcutta, to a nominee of the American Voluntary Relief Agency concerned for relief purposes;

Provided further that nothing contained in sub-clause (1) shall apply to—

- (i) the export of wheat or any wheat product from any place within the State of Punjab to any place within the State of Jammu and Kashmir; or
- (ii) the export of wheat or any wheat product from any place in the State of Maharashtra to any place within the area comprising Goa in the Union territory of Goa, Daman and Diu;

Provided also that it shall be lawful for a person to export or import under and in accordance with a permit granted by the State Government having jurisdiction in this behalf—

- (a) seed wheat for *bona fide* agricultural purposes; or
- (b) wheat produced on land owned or cultivated by the person seeking such export or import for personal domestic consumption at his place of residence.

4. Restriction on the movement of wheat or wheat products to or within zonal border area.—No person shall move, attempt to move or abet the movement of wheat or any wheat product—

- (a) to any place in the zonal border area from any place outside that area; or
- (b) from any place in the zonal border area to any other place in that area, except under and in accordance with a permit issued by the State Government having jurisdiction in this behalf or by an officer authorized in that behalf by that Government.

5. Restriction on the movement of wheat or wheat products to or within the external border area.—No person shall move, attempt to move or abet the movement of wheat or any wheat product—

- (a) to any place the external border area from any place outside that area; or
- (b) from any place in the external border area to any other place in that area,

except under and in accordance with a permit issued by the State Government having jurisdiction in this behalf or by an officer authorized in that behalf by that Government.

6. **Exemption.**—Nothing contained in clause 4 or clause 5 shall apply to the movement of wheat or any wheat product, as the case may be—

- (i) on Government account;
- (ii) under and in accordance with Military Credit Notes; or
- (iii) within the same town or village in the zonal border area or in the external border area; or
- (iv) not exceeding twenty kilograms in weight in the aggregate at one time by a *bona fide* resident of the zonal border area or of the external border area for domestic consumption; or
- (v) not exceeding five kilograms in weight in the aggregate by a *bona fide* traveller as part of his luggage; or
- (vi) received by way of gift under the Indo-US Agreement on Relief Supplies, 1951, and despatched by the Regional Director (Food), Bombay, Madras or Calcutta, to a nominee of the American Voluntary Relief Agency concerned for relief purposes;
- (vii) from a village in the zonal border area or in the external border area to the nearest grain market (mandi) for the purpose of sale, whether such market is within or outside any such area.

7. **Powers of entry, search, seizure etc.**—(1) Any Police Officer not below the rank of a Head Constable or any other person authorized in this behalf by the Central Government or the State Government having jurisdiction may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

- (a) stop and search, or authorize any person to stop and search any person or any boat, motor or other vehicle or any receptacle used or intended to be used for the export or import of wheat or any wheat product;
- (b) enter and search or authorize any person to enter and search any place;
- (c) seize or authorize the seizure of any wheat or wheat product in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened along with the packages, coverings or receptacles in which such wheat or wheat product is found, or the animals, vehicles, vessels, boats or other conveyances used in carrying such wheat or wheat product and thereafter take or authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or other conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (5 of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

THE SCHEDULE

[See clause 2(g)]

Zone I—The State of Punjab and the Union territories of Himachal Pradesh and Delhi.

Zone II—The State of Uttar Pradesh.

Zone III—The State of Madhya Pradesh.

Zone IV—The State of Rajasthan.

Zone V—The State of Bihar.

Zone VI—The State of Maharashtra.

Zone VII—The State of Gujarat.

Zone VIII—The States of Andhra Pradesh, Madras, Mysore and Kerala and the Union territory of Pondicherry.

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B. P. BAGCHI, Jt. Secy.

